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2194 Educational Support System

- (1) It is the policy of the State that each local school district develop and maintain, in consultation with parents, a comprehensive system of education that will result, to the extent appropriate, in all students succeeding in the general education environment. Each public school board in Vermont shall adopt a policy that establishes an educational support system.
- (2) Each public school shall develop written procedures to establish and implement the educational support system. The procedures shall describe:
 - (a) the composition and function of the educational support team; and
 - (b) a process for timely referral for evaluation for special education eligibility, when warranted. The educational support system shall not be a substitute for the special education process and shall not interfere with a student's right to a timely referral for an evaluation for special education eligibility at any time prior to or during the conduct of educational support activities.
- (3) On an annual basis, the school district shall provide to all parents of students enrolled in the district's schools, information regarding the existence, purpose and function of the educational support system including the educational support team.

2194.1 Within each school district's comprehensive system of educational services, each public school shall develop and maintain an educational support system for children who require additional assistance in order to succeed in the general education environment.

2194.2 The educational support system shall, at a minimum, include an educational support team and a range of support and remedial services, including instructional and behavioral interventions and accommodations.

- (a) The educational support system shall:
 - (1) be integrated to the extent appropriate with the general education curriculum.

- (2) be designed to increase the ability of the general education system to meet the needs of all students. To accomplish this, the school district shall provide training to school district personnel, as needed, in such areas as instructional and behavioral interventions, accommodations and instructional resources.
- (3) be designed to provide students the support needed regardless of eligibility for categorical programs.
- (4) provide clear procedures and methods for handling a student who disrupts a class and shall include provision of educational options, support services and consultation or training for staff where appropriate. Procedures may include provision for removal of the student from the classroom for as long as appropriate, consistent with state and federal law.
- (5) ensure collaboration with families, community supports and the system of health and human services.

School districts are encouraged:

- (a) to maintain effective communication with the parents of students who receive assistance through an educational support team; and
 - (b) to inform parents when a significant change is made in their child's educational program as a result of a recommendation from an educational support team.
- (b) Each educational support system shall include an educational support team which shall:
- (1) insure a timely referral for evaluation for special education eligibility or a 504 determination, when warranted.
 - (2) be composed of staff from a variety of teaching and support services positions.
 - (3) screen referrals to determine what classroom accommodations and remedial services have been tried.
 - (4) assist teachers in planning and providing services and accommodations to students in need of classroom supports.

- (5) maintain a written record of its actions. Written records of the educational support team will be subject to Rule 2193, applicable state and federal laws including the Federal Family Educational Rights and Privacy Act of 1974 (FERPA) (P.L. 95-380), as amended, and its implementing regulations contained at 34 C.F.R. part 99.

(c) No individual entitlement or private right of action is created by this section.